

EXHIBIT 10

Declaration of
Kamren Munz

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

LOCAL 8027, AFT-NEW HAMPSHIRE, AFL-CIO, RYAN)
RICHMAN, JOHN DUBE and JOCEYLN MERRILL,)
teachers in the New Hampshire Public Schools, and)
KIMBERLY GREEN ELLIOTT and MEGHAN EVELYN)
DURDEN, parents or guardians of children in the New)
Hampshire public schools.)

Plaintiffs,)

v.)

FRANK EDELBLUT, in his Official Capacity as)
Commissioner of the DEPARTMENT OF EDUCATION)
("DOE"), CHRISTIAN KIM in his Official Capacity as the)
Chair of the NEW HAMPSHIRE COMMISSION ON)
HUMAN RIGHTS, and JOHN FOMELLA in his Official)
Capacity as ATTORNEY GENERAL of the State of New)
Hampshire.)

Defendants.)

Civil No. 1:21-cv-01077-PB

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ANDRES MEJIA,)
CHRISTINA KIM PHILIBOTTE, and)
NATIONAL EDUCATION ASSOCIATION-NEW)
HAMPSHIRE,)

Plaintiffs,)

v.)

FRANK EDELBLUT, in his official capacity only as the)
Commissioner of the New Hampshire Department of)
Education,)
JOHN M. FORMELLA, in his official capacity only as the)
Attorney General of the State of New Hampshire,)
AHNI MALACHI, in her official capacity only as the)
Executive Director of the New Hampshire Commission for)
Human Rights,)
CHRISTIAN KIM, in his official capacity)
only as the Chair of the New Hampshire Commission for)
Human Rights,)
KEN MERRIFIELD, in his official capacity only as the)
Commissioner of the Department of Labor,)

Defendants.)

DECLARATION OF MX. KAMREN MUNZ

I, Mx. Kamren Munz, pursuant to 28 U.S.C. § 1746, depose and say as follows:

1. My name is Mx. Kamren Munz. I am a New Hampshire resident and taught in Nashua, New Hampshire as an art educator for eleven years, from 2011-2022.

2. Elm Street Middle School in Nashua was my home for eight out of my 11 total years teaching. I loved my job and was a proud public educator. During my tenure at Elm Street I created and advised the Photography Club, created and advised the Pride Squad Club, was an assistant Softball Coach for five years, painted two murals in the school, and volunteered my time on various committees. I worked closely with the school administration, guidance departments, and my fellow educators to do the best I could to support all of my students.

3. In 2017, I was awarded Nashua's Art Educator of the Year Award by the Nashua Education Foundation.

4. Following passage of HB2 ("the Divisive Concepts Law") in 2021, teaching became painfully scripted, lacking in the "teachable moments" that educators dream of. It was, quite frankly, terrifying. In my view, the politicized atmosphere created by the Divisive Concepts Law, and its severe consequences for educators, has damaged the relationship between public educators and the communities they serve.

5. The effects are felt heavily in the classroom. In my experience, students see and hear guardians at home challenging educators' professionalism and curriculum, contributing to an astronomical increase in student disengagement, disrespect, and apathy. Student behavior has driven educators and students alike to feel uninspired, unheard, and unsafe. The lack of educator support is palpable.

6. After the passage of the Divisive Concepts Law, I felt like I was taking a risk as a transgender educator whenever I introduced myself to students, staff, or community members

saying, “Hi, my name is Mx. Munz. My pronouns are they/them”. Not many middle school students, or adults, know that “Mx.” is a gender neutral title. In the past, I would use students’ questions asking “What is Mx.?” to facilitate discussion and create teachable moments about gender neutral pronouns. Some middle school students, and adults, lacked an accurate education on using singular “They” (despite it being Merriam-Webster’s 2019 Word of the Year). Again, teachable moments typically occurred through this discussion.

7. In March 2022, despite the fear in schools created by the Divisive Concepts Law, I handed out my ungraded, not-mandatory, “Welcome to Art!” get-to-know-you form to my classes, as I usually did. This form asked what students were excited to learn in Art class, what their favorite medium in Art is, something good that happened recently, and other similar questions.

8. In addition to asking students’ “name” as it appears on their student account, the form also asked the name they would like me to call them in class, and their pronouns. I had started each of my classes this way for the previous four years, about 430 students per year, with zero complaints (and only thanks from students, guardians, and staff).

9. Yet, on March 31, 2022, I was pulled into my Principal’s office to discuss an email sent by a parent angered that I was “inquiring [about] students’ pronouns.” In the email, my title Mx. was placed in parentheses. I immediately thought that this person intended to be disrespectful and transphobic.

10. Around the same time, this same parent posted on social media, along with a screenshot of her email, “We picked a bad generation to start WWIII...they can’t even fight anxiety from being called by the wrong pronoun.”

11. I felt threatened professionally and personally. Around this time I was also aware that the “Mom’s for Liberty” NH group had a \$500 “bounty” they would pay for anyone who was successful in “catching” an educator breaking the Divisive Concepts Law.

12. After the meeting with my Principal, in April 2022, I found out that someone had supplied Commissioner Edelblut with my teaching materials. The materials contained my name, pronouns, the subject I teach, and a picture of me (an introduction I gave to my students, and emailed to adults at home).

13. Commissioner Edelblut included these materials, along with materials from other educators across the state, in his op-ed article, *Education’s Sacred Trust*. The op-ed included damaging accusations like, “activist educators who might be knowingly dismantling the foundations of a value system,” and “squanders the credibility of the profession as a whole.”

14. In what I perceived as a direct criticism of me, Edelblut wrote, “Parents of students taking an art class should have a reasonable expectation that they will be learning about, well, art. They should not be concerned, as occurred in another New Hampshire classroom, that the introduction to art will begin with a lesson in pronouns...”

15. This article can still be found on the NH Department of Education website with an attached word document containing teaching materials, including mine. The document has a photo of me (with my face obscured, but not my tattoos or other personally identifiable information).

16. My last name was redacted, but my title Mx. and my pronouns were displayed. This outs me as a Trans educator to anyone who happens upon this article painting me in a very negative light. My identity can easily be determined whether or not my name appears. In the

state of New Hampshire I am likely the only Art teacher, with the title Mx., they/them pronouns, and certainly the only one at Elm Street in Nashua with a full forearm tattoo (which was pictured in the op ed). In addition, every other educator's full name, including title, in the op-ed was redacted. I could not help but think that the Commissioner's decision to keep my title listed was deliberate.

17. I finished the school year feeling disrespected, afraid, and targeted after giving all of myself to Nashua's students for over a decade.

18. Because of these events, after serving the Nashua School District as a full time Art Educator for 11 years, I decide to resign in July 2022. The decision to resign was not made lightly. The state of public education in New Hampshire has led me to seek employment out of the classroom entirely. I left teaching feeling squeezed out by the actions of trans/homophobic individuals that were given a social and political platform to question my professionalism, reputation, and cause fear for my profession and my person because of the Divisive Concepts Statute and the politically charged environment it created.

19. Today, I still fear for my safety and I am still negatively impacted emotionally, despite no longer being a NH Public Educator.

20. Laws like the Divisive Concepts Law written to directly undermine an educator's ability to educate truthfully is disastrous to a functioning society and to Trans educators like me, trying to teach inclusion and tolerance for all in the classroom.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 14th day of August, 2023

/s/ Mx. Kamren Munz

Mx. Kamren Munz